

REMARKS

Claims 1-28 were examined in the Final Office Action mailed December 27, 2006.

Claims 1-5, 7-8, 10-11, 13-14, 16-18, 20-21, 23-24 and 26-27 stand rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 2,655,237 to Benson ("Benson"), and claims 6, 9, 12, 15, 19, 22, 25 and 28 stand rejected as unpatentable over this reference under 35 U.S.C. § 103(a).

In the Applicant's previous response, claims 1 and 16 were amended in an attempt to make clear that these claims' brake disk extends from an outer region portion of the hub portion to an inside edge of the friction portion ("a radially inner region of the friction portion"), as shown, for example, in present Fig. 1.

The pending December 27, 2006 Office Action again rejects the claims, maintaining that the Benson flange portion 13 connects to the friction disc at a "radially inner region of the friction portion." December 27, 2006 Office Action at 5.

As a first matter, the Applicant notes that *the friction disc is not connected to the spider at the fastener 26*. The Applicant respectfully draws the Examiner's attention to the fact that there is no actual "connection" between the spider 13 and friction disc 19; rather, spider extensions on the outer radius of spider 13 (lugs 18, shown more clearly in Fig. 3) lie in corresponding slots in the other periphery of the friction disc (shown in Fig. 4), preventing relative *circumferential* motion between the spider and the disc. Benson at 3:28-32 (extensions arrangement). For its part, the fastener 26 does not connect the spider to the disc; it is described in the Benson

specification as a nut which serves as a stop against which the friction disc is biased by a spring (the nut being adjustable to maintain a desired friction disc axial position). *Id.* at 3:49-65 (distance-maintaining adjustable stop nut arrangement). In other words, the friction disc 19 only rests against nut 26; there is no connection of any sort at this location.

The Applicant further notes that Benson Fig. 1 teaches the a spider which extends *all the way* to the outer edge of friction disc 19: Fig. 1 shows the outer edge of the spider material *flush* with outer edge of disc 19. In view of the overall illustration of the Benson carrier as carrying the friction disc substantially at the outer edge of the disc, the Applicant respectfully submits that the present attempt focus on trying to divine precisely where the friction disk the Benson spider “connects” to the friction disc 19 “misses the forest for the tress,” because it avoids the central question: what does Benson’s *outer periphery disc-engaging* design teach or suggest to one of ordinary skill in the art? The Applicant submits that the present rejection will not withstand scrutiny when reviewed (as the Board and the MPEP mandate) from the perspective of what one of ordinary skill in the art would have perceived from Benson, as not only is there no “connection” between the Benson spider and its disc, there is no suggestion of any kind of the present invention’s lateral extension to the *inner* edge of the friction ring to move the friction portion outside a wheel envelope).

In view of the foregoing, reconsideration and withdrawal of the pending rejections is respectfully requested.

Separate from the foregoing grounds for withdrawal of the pending rejections, in order to advance this case to issue, the Applicant has amended claims 1 and 16 to recite that “the connecting flange portion connects a radially outer region of the hub portion to a radially inner region of the friction portion radially inward from a radially inner-most friction surface of said friction portion.” No matter how Benson is characterized, it does not show a connection to the friction portion of the brake disc *inside* the inner-most extent of the disc’s “fire path,” *i.e.*, the friction surface of the friction portion of the disc. Thus, the claims are also patentable over Benson for this reason.

CONCLUSION

In view of the foregoing remarks and amendments, the Applicant respectfully submits that claims 1-28 are in condition for allowance. Issuance of a Notice of Allowance for these claims is respectfully requested.

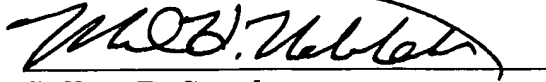
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-

1323 (Docket #011351.52877US).

March 15, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey D. Sanok", written over a horizontal line.

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